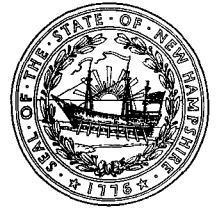




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Edward Ciampa
B Maes Resort Inn
17 Harris Shore Road
Gilford, New Hampshire 03246

LETTER OF DEFICIENCY
WMB PBF 05-05
March 18, 2005

Dear Mr. Ciampa:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On February 14, 2005, DES inspected the following public bathing facilities at the B Maes Resort Inn in Gilford, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Spa was issued on February 14, 2005. The inspection on February 14, 2005 revealed that the Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:
 - a. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
2. Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Spa water was approximately 0.10 mg/L on February 14, 2005. A recommendation to close the Spa was issued on February 14, 2005.

On March 2, 2005, pursuant to Env-Ws 1103.14(b), DES re-inspected the following public bathing facilities at the B Maes Resort Inn in Gilford, NH: the indoor spa ("Spa").

During this inspection, the following deficiencies were noted:

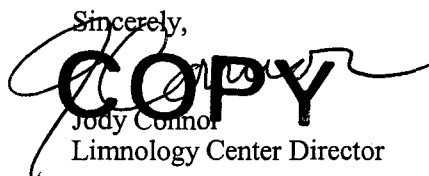
1. A recommendation to close the Spa was issued on March 2, 2005. The inspection on March 2, 2005 revealed that the Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:
 - a. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
 - b. Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Spa water contained 36,800 cfu/mL.
2. Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Spa water was approximately zero mg/L on March 2, 2005. A recommendation to close and drain the Spa was issued on March 2, 2005.

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During a phone conversation on March 17th, 2005, you notified DES staff that a new chemical controller was installed to maintain disinfectant at the required concentrations.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7484

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓
Tim Wilson, Public Bathing Facility Coordinator, DES
David Andrade, Health Officer, Town of Gilford

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